

SUMMARY OF CHANGES

As AR's are updated formatting issues are fixed and phrases are clarified. For example:

- **If there is a paragraph designated as number 1 with no paragraph number 2 listed under it, then the number 1 designation will be removed. Subsequently if there is a paragraph designated as A with no paragraph B listed under it, then the letter A designation will be removed.**
- **Minor word changes such as “will” to “shall”.**

AR 110 MISSION STATEMENT

The AR is unchanged other than the effective date and the Directors name added. On the attachment the Mission and Vision have been updated to match what is listed on the website.

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AR 405 USE OF FORCE

Under RESPONSIBILITY:

- Inspector General and Central Transportation Lieutenant has been added
- 3. It is the responsibility of all employees who may be required to use force as part of their duties to understand and comply with the Use of Force policy, related procedures, use of equipment and attend and understand relevant use of force training. Has been added

Under DEFINITIONS

- Minor wording clarifications
 - Skip Shot has been removed

Additions:

- Any person who volunteers, is contracted by or is employed by the NDOC is authorized to defend themselves or others from attack. A Correctional Officer Trainee or Correctional Officer who has not completed the Basic Academy and has not passed the Peace Officers Standards and Training (POST) certification exam are authorized to defend themselves and others from attack. Only certified Peace Officers who are current on their qualifications shall be authorized to utilize force tactics, tools, devices, weapons or other methods authorized by the Department Director.
- Serious Bodily Injury - Serious bodily injury means but is not limited to a serious impairment of a physical condition such as loss of consciousness, concussion, bone fracture, loss of a function of any bodily member or organ, a wound requiring extensive suturing or a disfigurement.
- Great Bodily Injury - Great bodily injury is any bodily injury that creates a substantial risk of death, such as but not limited to, stab wounds that cause substantial bleeding strike vital organs or repeated blows to the head with kicks or with a blunt instrument.

Under 405.01 USE OF FORCE GENERAL PROVISIONS

- All the facility Operational Procedures must conform to the provisions in this Administrative Regulation. Has been added.

Under 405.02 STAFF TRAINING INVOLVING USE OF FORCE

- 2. The application of force when using any authorized equipment must be consistent with training. For example; intentional strikes to the head or neck are not consistent with training for the side handle baton. Shots to the head with 40 mm launcher are not consistent with training. The use of carotid or choke holds is not authorized. Has been added.

Under 405.03 WHEN FORCE MAY BE USED

Additions:

- 1. Alternative methods of persuasion such as communications, videotaping of inmate(s), and/or show of force shall be utilized prior to using force whenever possible.
- 8. To stop inmate self-injurious behavior when time does not permit the arrival of a supervisor or the assembly of a planned use of force team and sufficient back-up is available.
- 9. Use of Force Options in the Use of Force Continuum:
 - Physical Force – includes the use of physical strength and holds (strikes i.e. Hand, elbow, knee and locks i.e. Wrist locks) except that choke holds and other types of physical holds that prevent the person from breathing, swallowing or cutting off blood supply to the brain are not authorized.

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- Chemical Agents – use of departmentally authorized chemical agents
- Hand-held Batons – departmentally approved batons.
- Less-lethal weapons – departmentally approved projectile launchers that are not likely to cause death.
- Lethal weapons – firearms capable of firing lethal rounds/projectiles.
- 10. must be videotaped- as outlined in this AR. Healthcare staff shall be consulted to determine if there are any contra-indicating factors such as but not limited to the use of O/C for asthmatics or tasers on inmates with other health problems or heart pacemakers prior to the planned use of force and documented.
- Staff are to be reminded to use universal precautions equipment such as latex gloves in addition to their other equipment.
- If time permits and a second camera is available, one staff member shall video-record the inmate at the cell front during staff's attempts to gain the inmate's compliance through verbal persuasion efforts and the other video-recording is taping the planned use of force team introductions and plan by the incident commander.
- The recorder shall begin all video recording stating his/her name, date, time, location and inmate name.
- The incident commander shall describe the nature of the incident that requires the planned use of force and the attempts to resolve the issue without the use of force.
- Prior to the use of force, healthcare staff shall be contacted to determine if there are is medical or mental health condition that would preclude the use of any chemical agent or taser. Record on video the comments by healthcare staff, stating his/her name. If unavailable for video, Incident Commander shall identify name of healthcare staff and the comment made by the healthcare staff member on the recording.
- Each staff member shall identify themselves by name, rank and state their responsibility such as the shield person, right side, left side or what type of equipment they shall employ such as handcuffs or leg restraints.
- Prior to the planed use of force the recording staff member must record the notice given to the inmate giving him/her a last chance warning or chemical agent shall be utilized.
- de. For any breaks in recording, the recording staff member must sign back on with his/her name, the date, time and reason for the break in recording.
- For any breaks in recording, the recording staff member must sign back on with the date, time and reason for the break in recording.

Under 405.05 LESS LETHAL FORCE

Additions:

- 1. The use of less lethal force projectile launchers may be used but not limited to stopping or preventing serious or great bodily injury to staff, inmates or the public which includes visitors. This is also listed under the use of lethal force.
- 2. Where situations allow, a loud and clear verbal warning and instructions shall be given before any less lethal force is used and before each less lethal munition is discharged. Verbal warnings and instructions shall continue to be given throughout the use of less lethal force. The following approved less lethal tools are authorized for use in Nevada Department of Corrections facilities/institutions.
- E. Less-Lethal Projectile Launchers (40mm) are authorized to compel compliance from noncompliant inmates. Less-lethal launchers shall also be stored in the "operations" area of each institution so that should a response to an area where no coverage is available

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(housing units with no coverage, chapel, education, gymnasium) these launchers are available for quick deployment.

- F. Pepperball or FN 303 less lethal launcher using compressed air to launch direct impact or chemical agents to temporarily incapacitate or immobilize the inmate(s). Shotguns a threat.
- Decontamination - If chemical agents are utilized in a planned use of force or spontaneous use of force, the inmate shall be decontaminated as soon as the inmate is in restraints and the decontamination can be conducted in a safe manner. Inmate(s) affected shall also be seen by medical personnel as soon as practicable upon containment of incident. The decontamination and medical evaluation shall be documented in the Incident Report by Supervisor handling the planned use of force.
- Choke or carotid holds is not authorized use of force techniques. A head lock is not considered a choke or carotid hold.
- 3. Wardens shall ensure through Operational Procedures where and how these tools shall be utilized throughout the institution.
- References to use of birdshot have been eliminated.
- The word **Deadly** has been changed to **Lethal**.

Under 405.08 EMERGENCY RESPONSE

Additions:

- The Nevada Department of Correction shall utilize a “plain English” notification system. This statewide universal approach shall initiate first responders. Followed by the secondary responders, based on initial reports. Some examples for each level are as following:
- Level 1, mutual combat between two inmates, isolated and contained physical plant failure or compromise, or a single disruptive inmate
- Level 2, multiple inmate fight, weapons present, staff assault, evidence of escape, or larger scale physical plant failure or compromise
- Level 3, Escape, homicide, officer-involved lethal force or complete physical plant failure or compromise.
- The Warden at each institution shall ensure the development of an Operational Procedure that shall identify responders/position, the systematic lockdown, and equipment deployed for each level. This Operational Procedure shall also include response to rural camps and Transitional Housing facilities.

Under 405.09 ESCAPE FROM SECURED PERIMETER

Additions:

- an alert to the institution shall be broadcast by radio
- A second alert to the institution shall be broadcast by radio, time permitting, to alert responding staff of the possible discharge of the weapon.
- C. In the event the Institution does not have perimeter towers, or perimeter towers are shut down, at a minimum, one armed Perimeter Officer is required. (More armed perimeter officers may be placed at larger institutions or as needed for security) This position shall be armed with both lethal and less lethal tools such as the 40 caliber Glock semi-automatic hand gun, chemical agent, and/or baton. The perimeter position shall be assigned a perimeter vehicle to assist with patrolling the perimeter and responding to threats.

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- 6. If the officer chooses not to shoot, the officer shall continue to report the direction of the inmate, description of escapee, and any relevant information relevant to the incident.

Under 405.10 USE OF FORCE IN THE COMMUNITY

Additions:

- 2. If the use of firearms becomes necessary in a confined area, such as within a building, it would be inappropriate to use warning shots. Verbal commands shall be substituted.
- 3. Transportation Officers shall be armed with both lethal and less lethal tools in the event of the physical surroundings and the proximity of civilians would prevent the use of lethal tools.

Under 405.11 MEDICAL CARE AFTER USE OF FORCE

Additions:

- Inmates cannot refuse to be assessed, but can refuse treatment of any injuries sustained.
- Decontamination from chemical agents shall also be completed as soon as practical after the use of force. Refusal for decontamination shall be documented on NDOC form 2523 – Refusal of Medical Treatment. Photographs of the Inmate shall be completed on all Inmates who had force used upon them regardless of injuries. Copies of these photos shall be uploaded into NOTIS and placed in the Use of Force Incident File.

Under 405.13 USE OF FORCE INCIDENT REVIEWS

Additions:

- I. Any recommended changes or enhancements to the physical structure of the area related to this use of force

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AR 412 ARMORY WEAPONS AND CONTROL

Additions:

This entire section has been added: 412.02 AUTHORIZED ARMORY EQUIPMENT

1. The following list of Armory Weapons and equipment is the only items authorized to be stored, issued and or used by the facilities.
2. Any changes, additions or deletions to this list of authorized items must be approved prior by the Deputy Director of Operations
3. Authorized items are listed and categorized as:
 - A. Firearms
 - a. Glock 22 Handgun
 - b. Ruger Mini 14 .223 Rifle
 - c. Remington 870 Shotgun
 - B. Firearms Ammunition
 - a. .40 caliber 180 -185 grain hollow point pistol ammunition
 - b. .223 55 grain soft point caliber rifle ammunition
 - c. 00 Buck Shotgun ammunition
 - d. 7 ½ bird shot ammunition
 - C. Less Lethal Projectile Launchers and Munitions
 - a. 37 mm Launcher-Defense Technologies
 - b. 40 mm Launcher Defense Technologies
 - c. FN-303 Pepper ball Launcher
 - d. CTS wood baton round
 - e. CTS Multiple Stinger Round
 - f. CTS Flash Bang round
 - g. Defense Technologies Fin Stabilized round
 - h. Defense Technologies Rubber Stinger Round (shotgun fired)
 - i. Popper Round (shotgun fired)
 - j. Bean Bag fired round
 - k. CTS Supersock Shotgun Fired Round
 - D. Hand held and launched munitions
 - a. Smoke Grenades Hand Launched
 - b. Triple Chaser Hand Launched
 - c. Flameless OC Grenade
 - d. Rubber Grenade
 - E. Less Lethal Hand Deployed Devices
 - a. PR-24 Side Handle Baton
 - b. Wooden or Composite Straight Baton
 - c. Collapsible baton
 - d. OC Spray 1.33 % Concentration.
 - e. Taser Electronic Control Device (ECD)
 - f. RACC type control belt
 - F. Emergency Response Equipment
 - a. Capture Shield
 - b. Riot Shield
 - c. Nova Electronic Control Device Shield (ECD)
 - d. Riot Control Helmets

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- e. Riot Control Protective Vests
- f. Elbow, Shin and Knee Pads

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AR 422 SEARCH AND SEIZURE STANDARDS

Additions:

This entire section has been added: 422.03 CLEAR BAGS/CLEAR PLASTIC CONTAINERS/FACTORY SEALED CLEAR CONTAINERS

In order to maintain the safety and security of the Nevada Department of Corrections (NDOC) facilities and to detect and prevent entrance of contraband: All persons entering shall only possess clear PVC bags and containers (unless otherwise approved by the Warden or Associate Warden). All food must be in a clear container that can be visually inspected and searched if needed. Paper bags sacks and sandwich wraps (including wrappers from fast-food restaurants or similar establishments) are prohibited.

Open beverages (including fountain drinks and coffee) shall be in a clear container and are subject to inspection.

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AR 719 INMATE VISITATION

Under Effective Date - On this sentence the date was changed to 11/3/16:

- 04/08/11 This AR was reviewed by the Subject Matter Expert and it was determined that no changes are required as of this date 11/3/16.
- We added Director Dzurendas' name to the signature line.

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AR 722 INMATE LEGAL ACCESS

Under 722.01 INMATE ACCESS TO LAW LIBRARIES

References to “Approved Publication List” has been removed from the AR.

Additions:

- Inmates Request for Legal or Other Reference Material Not in Law Library (DOC-3513), and brass slip for the cost of the copies.
- The Law Library Supervisor must review the forms for completeness.
- If approved by the Law Library Supervisor, the packet should be sent to the Chief of Inmate Banking Services/designee for review. If not approved, DOC-3512 and DOC-3513 will be returned to the inmate. The brass slip will not be returned.
- If approved by the Chief of Inmate Banking Services/designee, the form will be forwarded to the Nevada Supreme Court Law Library for processing. If not approved, the form will be returned to the inmate. The brass slip will not be processed or returned.
- indigent and indigent-at-the-moment inmates. Supply quantities are to be issued based on legitimate inmate needs for active litigation, on a case-by-case basis. The burden of proof is the responsibility of the inmate.
- Carbon paper, on exchange only after first issue, max of 5 sheets. Carbon paper may have restrictions placed on its issuance by the Warden for security purposes.
- An indigent or indigent-at-the-moment inmate will fill out a brass slip for the cost of legal supplies issued.
- Legal Mail Receipt DOC-3020A (LMR) shall be filled out and attached to every piece of legal mail.
- All completed Legal Mail Receipts (LMR) will be filed and maintained in the mailroom.

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AR 810 RELIGIOUS FAITH GROUP ACTIVITIES AND PROGRAMS

Additions:

- Additionally, the Department shall consider whether the Regulation or purported restriction serves to “substantially burden” an inmate’s ability to worship his or her religion.
- Resources and facilities for worship are extremely limited; all groups are expected to make sacrifices so that all religious worshipers will have some access to facilities for religious activities.
- Religions that promote violence, religious and racial prejudice and intolerance of other beliefs will have religious accommodations restricted accordingly.